

~~AMENDED~~
APPLICATION FOR PERMIT

Nº 49152

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... JUN 21 1985
Returned to applicant for correction..... JUL 01 1985
Corrected application filed..... AUG 30 1985
Map filed..... AUG 30 1985 under 49151

The applicant Frances C. Hartogh
200 Union Boulevard, Suite 500, of Lakewood,
Street and No. or P.O. Box No. City or Town
Colorado 80228, hereby make S application for permission to appropriate the public
State and Zip Code No.
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is underground
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is 3.0 second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet.....
3. The water to be used for Mining, milling and domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.
4. If use is for:
(a) Irrigation, state number of acres to be irrigated.....
(b) Stockwater, state number and kinds of animals to be watered.....
(c) Other use (describe fully under "No. 12. Remarks").....
(d) Power:
(1) Horsepower developed.....
(2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of
Describe as being within a 40-acre subdivision of public
Section 28, T. 39N., R43E M.D.B. & M. at a point which bears S 31°
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
33' E a distance of 5.760 ft. from the Northwest corner of said
Section 28.
6. Place of use Within Sections 4-11, 14-23 and 26-35 T40N R43E M.D.B. & M.;
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
Sections 2-11, 15-18, 20, 21, 28 and 30 T39N R43E M.D.B. & M.;
Sections 1, 12-14, 23-26, 35 and 36 T40N R42E M.D.B. & M.; Sections
1, 2, 12 and 24 T39N R42E M.D.B. & M.; Sections 35 and 36 T41N R42E
M.D.B. & M.; Sections 31 and 32 T41N R43E M.D.B. & M.
7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled and cased well, submersible
State manner in which water is to be diverted, i.e. diversion structure, ditches and
pump, electric motor, storage reservoir, and distribution system.
flumes, drilled well with pump and motor, etc.
9. Estimated cost of works..... \$50,000.00

10. Estimated time required to construct works 3 years
 If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 7 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be used for mining and milling purposes. A
conventional milling cycle and leaching cycle will be utilized.
Annual consumption will not exceed 1,000 acre feet per year.
Reclamation practices will be utilized to conserve water.

By s/Ross E. de Lipkau
Ross E. deLipkau, Agent
1 East Liberty Street, P.O. Box 2790
Reno, NV 89509

Compared mc/jf js/bc

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

No perforations shall be put in the production casing from ground level to 100 feet.

(CONTINUED ON Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.0 cubic feet per second, but not to exceed 707,715 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before May 19, 1986

Proof of completion of work shall be filed on or before May 19, 1986

Application of water to beneficial use shall be made on or before May 19, 1986

Proof of the application of water to beneficial use shall be filed on or before May 19, 1986

Map in support of proof of beneficial use shall be filed on or before May 19, 1986

Completion of work filed _____ IN TESTIMONY WHEREOF, I, PETER G. MORROS

Proof of beneficial use filed _____ State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 19th day of May

Cultural map filed _____

Certificate No. _____ Issued _____

A.D. 19 86

Peter G. Morros
 State Engineer

(PERMIT TERMS CONTINUED)

The total combined duty of water under Permits 49151, 49152 and 49153 shall not exceed 815 million gallons annually.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.